



Daniel J. McKee

Governor – State of Rhode Island

Workforce Innovation and Opportunity Act (WIOA)

Policy Manual – Greater Rhode Island Local Area

Updated as of 03/18/2021



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NOTE: The Governor's Workforce Board, acting as Local Board for the Greater Rhode Island Area Pursuant to Authority Granted by the US Secretary of Labor, is in the process of issuing, and reissuing, local WIOA policies for the Greater Rhode workforce area. There are number of previously issued policies not yet included in this manual. They will be added as they are reviewed and reissued. Such policies are still in effect and are available upon request.

Local Workforce Development Board Notice: L01-01 **(formerly 18-07)**

Date: August 1, 2018

To: Greater Rhode Island Local Workforce Development Board Area

From: Nancy J. Olson, Executive Director
Steven H. Kitchin, Chairman

Re: WIOA Program Policy: Records Retention

PURPOSE:

To provide guidance and instruction to the One-Stop Operator for the WPGRI American Job Center (AJC), One-Stop Partners, contractors, vendors, sub-recipients, fiscal agents and WIOA Title I service providers regarding the Retention of Records under the Workforce Innovation and Opportunity Act (WIOA) Title I programs.

EFFECTIVE DATE: This policy supersedes PY12-01 and is effective immediately.

BACKGROUND:

Minimum record retention requirements are established as part of an effective internal and external control program to ensure WPGRI can provide documents requested by any federal and state agencies within the statutes of limitations. This policy is to clarify procedures for accountability and retention of records related to activities and services conducted with WIOA Title I funds.

POLICY:

WIOA Title I program records must be retained for at least five (5) years following the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

The record retention period for WIOA participant files is five (5) years from the exit date. This five (5) year time period allows for follow-up services conducted after the exit and time for report submission. Participant folders include, but are not limited to, application forms, copies of eligibility documentation, vocational assessment plans, wage record data, employment information, driver's license information and personal data.

All other records, which may include, but are not limited to, financial records (audits and invoices for vendors), monitoring reports (reports detailing how programs are conducted and whether or not they are in compliance with the law), contracts with training providers, contracts with employers, data validation files, contracts with vendors, Memorandums of Understanding, application files, minutes, and copies of training materials distributed to participants, will be retained in accordance with this policy.

All records shall be maintained in a manner that will preserve their integrity and admissibility as evidence in any audit, litigation or other proceeding.

Records must be kept in a centralized filing system for WIOA files, in a suitable location, indexed by exit date. If paper files exist, file cabinets containing case files must be locked and keys will be kept in a secure place with limited staff access to maintain security and confidentiality. All records, data or information are to be retained separately and distinctively from records pertaining to other operations.

During normal business hours and upon request, records shall be made available and access shall be provided.

All records, regardless of the media on which they reside, including digital/electronic files must be retained in accordance with this policy.

If a WIOA Title I sub-recipient is unable to retain required WIOA Title I records, or the award for service is terminated by WPGRI, the records must be transferred to WPGRI or to a new service provider, as directed by WPGRI. Records must be transmitted within the time period stated by WPGRI and must be properly labeled and filed in an acceptable condition for storage.

Inquiries:

Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.gwb.ri.gov

Local Workforce Development Board Notice: L04-01

TO: WORKFORCE DEVELOPMENT PARTNERS

FROM: Governor's Workforce Board acting as Local Board for the Greater Rhode Island Area Pursuant to Authority Granted by the US Secretary of Labor

SUBJECT: WIOA Procedure for Filing Grievances/Complaints and Nondiscrimination Policy

DATE: Effective: March 18, 2021



Purpose:

To provide guidance and instruction to One-Stop Operator for the Greater Rhode Island American Job Centers (AJC) and all One-Stop Partners regarding the Procedure for Filing Grievances/Complaints regarding the Workforce Innovation and Opportunity Act (WIOA).

Reference: Workforce Innovation and Opportunity Act (WIOA) of 2014, section 181(c); WIOA Labor Only Final Rule, Subpart F – Grievance Procedures, Complaints, and State Appeals Processes §683.600-610

Policy:

One-Stop counselors will provide WIOA participants with the Procedures for Filing Grievances/Complaints/WIOA Program Grievance Form during their first meeting. The WIOA counselor must explain the Grievance form to the participant and enter a case note stating the form was explained and given to the participant.

Attachment:

WIOA Program Grievance Form

Inquiries:

Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.qwb.ri.gov

GREATER RHODE ISLAND WORKFORCE DEVELOPMENT AREA

Procedures for Filing Grievances/Complaints regarding the Workforce Innovation and Opportunity Act (WIOA)

Applicants and participants of the WIOA program, including applicants for employment, and employees, have the right to enter into the grievance process to resolve disputes. Complaints and grievances from participants and other interested parties affected by the local Workforce Development System, including One-Stop partners and service providers may file a complaint/grievance. Individuals in grievance investigations are protected from retaliation and are permitted to have translators, interpreters, readers and/or a representative of their choice during the grievance process. Per Section 181 of the Workforce Innovation and Opportunity Act (WIOA), the Workforce Board for the Greater Rhode Island Workforce Development Area provides the following procedure outlined below for registering complaints/grievances:

Complaints/grievances must be filed in writing within one (1) year after the alleged violation took place. A decision must be made within 60 days from the date the complaint/grievance is filed.

Complaints/grievances filed with Workforce Board for the Greater Rhode Island Workforce Development Area will be acknowledged within 5 business days. The Board will schedule an informal hearing within 15 business days with the complainant/grievant and representative when applicable to attempt to resolve the matter. The Board's Executive Director will issue a written decision within 30 days. Grievant/complainants who do not receive a decision from the Board within 30 days or who receive an adverse decision may file an appeal at the State level.

1. Grievances/complaints must be filed within one year of the alleged violation.
2. Grievances/complaints must be in writing and shall contain the following information:
 - a. The full name, telephone number and address of the person making the complaint;
 - b. A description of your grievance/complaint
 - c. The regulations or policy violated, if known;
 - d. The date(s) of the alleged unfair act(s); and
 - e. The name(s) and address(es) of any other(s) involved in the situation.
3. The grievance/complaint must be submitted to the following individual:

Executive Director, Greater Rhode Island Workforce Development Area
1511 Pontiac Avenue, Building 72-2
Cranston, Rhode Island 02920
4. The Executive Director will receive the complaint, investigate and render a decision within 30 days of the filing of the complaint.
5. If you are not satisfied with the decision you receive from the Executive Director and you wish to file an appeal at the State level, you must do so within 10 days. You must send the written appeal to the following individual:

Rhode Island State WIOA Liaison Officer
Rhode Island Department of Labor and Training
1511 Pontiac Avenue, Building 73
Cranston, Rhode Island 02920

Upon receiving a local complaint/grievance that has been filed or appeal to the state level, the WIOA Liaison, on behalf of the Governor, will review the case and issue a decision within 30 calendar days after the appeal was filed. The State must issue a decision within 60 days from the date you originally filed your grievance/complaint.

6. Complaints/grievances alleging that the WIOA Liaison, on behalf of the Governor has not been issued a decision within 60 days after a complaint is filed or the party to such decision received an adverse decision may file an appeal to the Secretary of Labor: Secretary, ASET, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210. The Secretary of Labor will render a final decision within 120 days of the date of the original grievance/complaint.
- 7.

Discrimination Cases

Grievances and complaints alleging violations under WIOA Section 188 and 29 CFR Part §37 may be filed with the Workforce Board of the Greater Rhode Island Workforce Development Area with the Equal Opportunity (EO) Officer, at the State level with the Chief of Equity and Equal Opportunity or with the USDOL Civil Rights Center, Director. Complaints or grievances may be filed when the grievant/complainant believes it to be discrimination related to: disability; age; race; color; religion; sex (sexual identity, sexual expression, sex stereotyping, pregnancy); national origin; political belief or affiliation; and against any beneficiary of programs financially assisted under Title VI of the WIOA on the basis of the beneficiary's citizenship/status; as a lawfully admitted immigrant authorized to work in the United States; or his or her participation in any WIOA Title-I financially assisted program/activity. **Discrimination complaints must be filed within 180 days from the date the violation occurred.** The complaint must be investigated and a final decision issued within 90 days from the date the complaint was filed.

Fraud Cases

Complaints involving criminal fraud, waste, abuse or other criminal activity may be reported immediately through the Department's Incident Reporting System to the DOL Office of Inspector General, Office of Investigations, Room S5514, 200 Constitution Avenue N.W., Washington, D.C. 20210, or to the corresponding Regional Inspector General for Investigations, with a copy simultaneously provided to the Employment and Training Administration. The Hotline number is 1-800-347-3756.

Program	Agency
Workforce Development Board, Equal Opportunity Officer	Talia DeVincenzis Equal Opportunity Officer Greater Rhode Island Workforce Development Area 1511 Pontiac Avenue, Building 72-2 Cranston, RI 02920 401-462-8209 Talia.DeVincenzis@dlt.ri.gov Cheryl Burrell Chief of Equity and Equal Opportunity RI Department of Labor and Training 1511 Pontiac Avenue, Building 72-3 Cranston, RI 02920 401-462-8870 Cheryl.Burrell@dlt.ri.gov
You also have the right to file a formal complaint with a Federal Agency	
US Department of Labor	Director, Civil Rights Center ATTENTION: Office of External Enforcement U.S. Department of Labor 200 Constitution Avenue, N.W., Room N-4123 Washington, DC 20210 Faxed to (202) 693-6505 Emailed to: CRCEXternalComplaints@dol.gov
Formal Discrimination Complaint about any program	Coordination and Review Section - NWB Civil Rights Division U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, D.C. 20530 888-848-5306 - English and Spanish (ingles y Española) 202-307-2222 (voice) 202-307-2678 (TDD) Title VI Hotline: 1-888-TITLE-06 (1-888-848-5306) (Voice / TDD) Disability Complaints: U.S. Department of Justice Civil Rights Division 950 Pennsylvania Avenue, NW Disability Rights Section -NYAV Washington, DC 20530 800-514-0301 (voice) 800-514-0383 (TTY) (also in Spanish)

Local Workforce Development Notice: L05-02-20

TO: Greater Rhode Island Local Workforce Development Board Area
FROM: Governor's Workforce Board, on behalf of the Greater Rhode Island Local Area
SUBJECT: Lower Living Standard Income Level and Self-Sufficiency Guidelines 2020
DATE: Effective: July 1, 2020
STATUS: **ACTIVE**



Purpose:

To provide guidance and instruction to the One-Stop Operator for the WPGRI American Job Center (AJC) and the Rhode Island Department of Labor and Training Workforce Development Services regarding Workforce Innovation and Opportunity Act (WIOA) Title I 2020 Lower Living Standard Income Level (LLSIL) and Self-Sufficiency Guidelines

References: WIOA Title I; [Federal Register dated April 30, 2020](#); [Federal Register dated January 17, 2020](#); USDOL LLSIL Guidelines; [State WIN# 19-03](#)

Background: WIOA defines the term "low income individual" as one who qualifies under various criteria, including individuals in a family with total income below either the federal poverty level of 70% of the lower living standard income level (LLSIL). The 2020 Poverty Level Guidelines were published in the Federal Register on January 17, 2020. The 2020 guidelines for the LLSIL were published in the Federal Register on April 30, 2020.

Policy: The Income Level Guidelines are used to determine eligibility based on family income for youth and "priority of service" Adults. The Self-Sufficiency Guidelines are used to determine eligibility based on lack of a self-sufficient wage for employed individuals.

Income Level Guidelines:

In order to determine 70% of LLSIL, refer to the spreadsheet made available with the USDOL LLSIL Guidelines (<https://www.dol.gov/agencies/eta/llsil>). Rhode Island is listed in the Northeast Metro Jurisdiction. Tab two indicates that for the Northeast Metro region 70% of LLSIL, based on family size, is as follows:

Family Size	1	2	3	4	5	6
Total Income	11,472	18,801	25,804	31,854	37,594	43,961

To determine 70% the LLSIL for family sizes greater than six, subtract the LLSIL of a family of five from a family of six. Use the difference of a family of five and six (\$6,367) as the income you will add to each income after a family of six.

In order to determine the Federal Poverty Level, refer to the 2020 HHS Poverty Guidelines made available with the USDOL LLSIL Guidelines. Rhode Island falls with the category of the 'Contiguous 48 States and the District of Columbia'. The 2020 Federal Poverty Level, based on family size, is as follows:

Family Size	1	2	3	4	5	6	7	8
Total Income	12,760	17,240	21,720	26,200	30,680	35,160	39,640	44,120

To determine the Federal Poverty Level for families/households with more than 8 persons, add \$4,480 for each additional person.

Because the LLSIL amount for a family size of one - \$11,472 - is lower than the federal poverty level for a family of one - \$12,760 - the Federal Poverty Level will be used to establish low income status for a family of one. For all other family sizes, the LLSIL is to be utilized as it exceeds the poverty guidelines.

Family Size	1	2	3	4	5	6
Reference	Federal Poverty Level	Lower Living Income Standard Level	Lower Living Income Standard Level	Lower Living Income Standard Level	Lower Living Income Standard Level	Lower Living Income Standard Level
Total Income	\$12,760	18,801	25,804	31,854	37,594	43,961

Determination of Self Sufficiency:

Self-sufficiency is defined as employment that pays 100% of the LLSIL. Refer to the spreadsheet made available with the USDOL LLSIL Guidelines (<https://www.dol.gov/agencies/eta/llsil>).

Family Size	1	2	3	4	5	6
Total Income	16,388	26,859	36,862	45,505	53,705	62,801

To determine 100% of the LLSIL for family sizes greater than six, subtract the LLSIL of a family of five from a family of six. Use the difference of a family of five and six (\$9,096) as the income you will add to each income after a family of six.

Inquiries:

Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
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Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.qwb.ri.gov

Local Workforce Development Board Notice: L05-05

TO: WORKFORCE DEVELOPMENT PARTNERS

FROM: Governor's Workforce Board acting as Local Board for the Greater Rhode Island Area Pursuant to Authority Granted by the US Secretary of Labor

SUBJECT: Selective Service Requirements

DATE: Effective: March 18, 2021



- 1. PURPOSE:** This policy provides guidance regarding Selective Service requirements under WIOA
- 2. REFERENCES:** Training and Employment Guidance Letter No. 11-11, Change 1 - Selective Service Registration; Training and Employment Guidance Letter No. 11-11, Change 2 - Selective Service Registration
- 3. BACKGROUND:** Males who are subject to, and have complied with, the registration requirements of the Military Selective Service Act are eligible for participation in WIOA funded programs and services. WIOA requires the Secretary of Labor to ensure that each individual participating in any WIOA program or receiving any assistance under the Act has not violated the requirement of Section 3 of the Military Selective Service Act. All service providers are charged with ensuring Selective Service compliance in the workforce system.
- 4. POLICY:**
 - Selective Service Registration:**
 - All male clients between the ages of 18 and 25 must register with the Selective Service.
 - All male clients enrolled in WIOA Adult, Dislocated Worker and Youth programs must be in compliance with Selective Service Registration under the Military Selective Service Act as a condition for participation. The Who Must Register Chart located on the Selective Service System web page provides guidance on who must register and who may be exempt.
 - Selective Service Compliance:**
 - To be eligible to receive WIOA funded service, all males born on or after January 1, 1960 must present documentation showing compliance with the Selective Service registration requirement. Acceptable documentation to show registration status includes:
 - Selective Service Acknowledgement letter;
 - Form DD-214 "Report of Separation";
 - Screen printout of the Selective Service Verification on the Selective Service website. Males who have already registered can be verified using this website;
 - Selective Service Registration Card.
 - Registration Requirements for Males Under 26 Years of Age:**
 - Male clients who enter the WIOA program at age 17 or younger and attain age 18 while participating in the program must be registered for Selective Service the 30th day after their 18th birthday to remain eligible for WIOA services. Funds expended on male clients not registered for Selective Service by the 30th day after their 18th birthday will be considered disallowed costs. Any male youth client who attains age 18 while enrolled in WIOA and

refuses to comply with Selective Service Registration requirements shall be exited from the WIOA youth program. Youth should not be placed in follow up and there should be case notes that describe, in detail, the circumstances as to why services were not/could not be continued.

Registration Requirements for Males 26 Years and Over:

- Prior to being enrolled in a WIOA funded program, all males 26 years of age or older, must provide documentation of compliance with the Selective Service registration requirement. Individuals who did not register for the Selective Service or who cannot provide any of the documentation listed above must obtain and “Status Information Letter” from Selective Service indicating whether he was required to register. The instructions and form to request the “Status Information Letter” is available on the Selective Service website.
- If the “Status Information Letter” indicates that the individual was required to register and now cannot because he is 26 or older, he is presumed to be disqualified from participation in WIOA-funded activities and services until it can be determined that his failure to register was not knowing and willful. Service providers will be responsible for evaluating the evidence presented by the individual and determining whether the failure to register was a knowing and willful failure.
- The individual will need to describe, in detail, the circumstances that prevented him from registering (e.g. hospitalization, institutionalization, incarceration, military service) and provide documentation of those circumstances. The documentation should be specific as to the dates of the circumstances. If the “Status Information Letter” indicates that an individual was not required to register for the Selective Service, then he is eligible to enroll in WIOA-funded services.

Determining Knowing and Willful Failure to Register

- If an individual was required to register with Selective Service but fails to do so the individual may only receive services if they can provide evidence to establish that the failure to register was not knowing and willful. Service providers will be responsible for evaluating the evidence presented by the individual and determining whether the failure to register was a knowing and willful failure.
- The individual shall offer as much evidence and in as much detail as possible to support his case. Evidence may include an applicant’s statement and supporting documentation of his circumstances at the time of the required registration and the reason for failure to register. Examples of documentation that may help in making a determination in these cases include:
 - Service in Armed Forces. Documentation verifying that a man has serviced honorably in the U.S. Armed Forces such as the DD-214 form or his Honorable Discharge Certificate may be considered sufficient evidence that his failure to register was not willful or knowing.
 - Third Party Affidavits. Affidavits from parents, teachers, employers, doctors, etc. concerning reasons for not registering, are also acceptable documentation that may be helpful to service providers determining whether the failure to register was willful and knowing.
- In determining whether the failure was “knowing”, service providers should consider:
 - Was the individual aware of the requirement to register?
 - If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him (e.g. veterans who were discharged before their 26th birthday were occasionally told that they did not need to register)?
 - On which date did the individual first learn that he was required to register?
 - Where did the individual live when he was between the ages of 18 and 26?

- Does the status information letter indicate that Selective Service sent a letter to the individual at that address and did not receive a response?
- In determining whether the failure was “willful”, service providers should consider:
 - Was the failure to register done deliberately and intentionally?
 - Did the individual have the mental capacity to choose whether or not to register and decided not to register?
 - What actions, if any, did the individual take when he learned of the requirement to register?
- If the service provider determines it was not a knowing and willful failure and the individual is otherwise eligible, services may be provided. If the service provider determines that evidence shows that the individual’s failure to register was knowing and willful, WIOA service must be denied. Individuals denied services must be advised of available WIOA grievance procedures. Service providers must keep documentation related to all evidence presented in determination related to Selective Service.

Monitoring and Evaluation:

Formal monitoring will be conducted as required.



Governor's Workforce Board

RHODE ISLAND

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To: WIOA Title I Program staff

From: Governor's Workforce Board

Date: January 25, 2021

Subject: Guidance Re: Selective Service Requirements Under WIOA

Purpose

To ensure all programs receiving any portion of WIOA funding comply with and understand Selective Service registration requirements.

References

Public Law 113-128 ; Training and Employment Guidance Letter 11-11 Change 2, Selective Service Registration Requirements for Employment and Training Administration funded programs, May 16, 2012; Rhode Island Workforce Innovation Notice 05-06

Background

From the Selective Service System website (<https://www.sss.gov/>): Selective Service registration is required by law as the first part of a fair and equitable system that, if authorized by the President and Congress, would rapidly provide personnel to the Department of Defense while at the same time providing for an Alternative Service Program for conscientious objectors. By registering, a young man remains eligible for jobs, Federal student aid, State-based student aid in 31 states, Federally-funded job training, and U.S. citizenship for immigrant men.

Guidance

Who Must Register for Selective Service

Almost all male U.S. citizens and immigrants between the ages of 18 and 25 are required to register with Selective Service. Males born on or after January 1, 1960 are required to register with Selective Service within 30 days of their 18th birthday, if they are:

- U.S. citizens
Note: People born in Puerto Rico, Guam, U.S. Virgin Islands, and Northern Mariana Islands are U.S. citizens. Citizens of American Samoa and Swains Island are nationals and must register when they are "habitual residents" in the U.S., meaning they have resided in the U.S. for more than one year, except as a student or as an employee of the government of their homeland.
- Non-citizens, including illegal aliens, legal permanent residents, seasonal agricultural workers, and refugees, who take up residency in the U.S. before their 26th birthday
- Dual nationals of the U.S. and another country regardless of whether they live in the U.S.
- Service members released from the military before their 26th birthday who had not previously registered (in this case, failure to register is not considered "knowing or willful")

U.S. citizens who are not required to register for Selective Service:

- Females
- Males who are serving in the military on full-time active duty
- Males attending any of the five service academies (i.e. the U.S. Military, Naval, Coast Guard, Merchant Marine, and Air Force Academies)
- Males with disabilities who are continually confined to a residence, hospital or institution

Note: Males who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, they must register within 30 days after being released if they have not yet reached their 26th birthday.

Non-U.S. citizens who are not required to register for Selective Service:

- Non-U.S. males who came into this country (either legally or illegally) for the first time after their 26th birthdays. (They must provide proof that they were not living in the U.S. from age 18 through 25.)
- Non-U.S. males on valid, non-immigrant visas

Guidance Regarding Transgendered Individuals

Transgender/transsexual people designated female at birth are not required to register with Selective Service. Individuals designated male at birth are required to register, even if they have transitioned/had sex reassignment surgery. In the event a military draft is resumed, they may be able to file a claim for exemption from military service if they receive an order for an examination or induction.

More information about registration requirements and an online tool to verify registration status can be found on the Selective Service website: <https://www.sss.gov/register/who-needs-to-register/>

Failure to Register for Selective Service

Males Younger than 26

Males between the ages of 18 and 26 who have not registered with Selective Service can become eligible for WIOA Title I programs by registering. If an individual turns 18 while participating in a WIOA Title I program, he must register with Selective Service no later than 30 days after his 18th birthday. If he fails to register during that period, he may not continue to participate in the Title I program.

Males Aged 26 and Older

Males aged 26 and older who have not registered can become eligible for WIOA Title I programs by providing documentation showing they were not required to register, or by demonstrating that their failure to register was not "knowing and willful."

The local WDB or the service provider that enrolls individuals in WIOA Title I services is responsible for determining whether services should be provided. They must follow the steps below to determine whether an individual who was required to register but failed to do so acted knowingly and willfully.

Process for Aiding WIOA Clients with Selective Service Requirements

➤ All Males Must Meet Selective Service Requirement

To be eligible to receive WIOA funded service, all males born on or after January 1, 1960 must present documentation showing compliance with the Selective Service registration requirement. Acceptable documentation to show registration status includes:

- Selective Service Acknowledgement letter;
- Form DD-214 "Report of Separation";
- Screen printout of the Selective Service Verification on the Selective Service website. Males who have already registered can be verified using this website;
- Selective Service Registration Card.

Individuals in need of the above documentation should be referred to: <https://www.sss.gov/verify/>

➤ Assisting Males Under 26 Years of Age with Selective Service Requirement:

Males between the ages of 18 and 26 who have not registered with Selective Service, or an individual that turns 18 while participating in a WIOA Title I program, should be informed of the requirement to register and either:

- Directed to the Selective Service System website registration page: <https://www.sss.gov/register/>
- Provided a copy of the paper registration form: <https://www.sss.gov/wp-content/uploads/2020/06/Form-1.pdf> with attention to the instructions on page one

An individual may not participate, or continue to participate, in WIOA Title I program until they register.

➤ Assisting Males 26 Years and Over with Selective Service Requirement

Males 26 years of age or older, must provide documentation of compliance with the Selective Service registration requirement. Individuals who did not register for the Selective Service or who cannot provide any of the documentation listed previously must obtain a "Status Information Letter" from Selective Service indicating whether he was required to register. The instructions and form to request the "Status Information Letter" is available on the Selective Service website: <https://www.sss.gov/verify/sil/>

- If the "Status Information Letter" indicates that an individual was not required to register for the Selective Service, then he is eligible to enroll in WIOA-funded services.
- If the "Status Information Letter" indicates that the individual was required to register and now cannot because he is 26 or older, he is presumed to be disqualified from participation in WIOA-funded activities and services until it can be determined that his failure to register was not knowing and willful. Service providers will be responsible for evaluating the evidence presented by the individual and determining whether the failure to register was a knowing and willful failure.

The individual will need to describe, in detail, the circumstances that prevented him from registering (e.g. hospitalization, institutionalization, incarceration, military service) and provide documentation of those circumstances. The documentation should be specific as to the dates of the circumstances.

Determining Knowing and Willful Failure to Register

The individual shall offer as much evidence and in as much detail as possible to support his case. Evidence may include an applicant's statement and supporting documentation of his circumstances at the time of the required registration and the reason for failure to register. Examples of documentation that may help in making a determination in these cases include:

- Service in Armed Forces. Documentation verifying that a man has serviced honorably in the U.S. Armed Forces such as the DD-214 form or his Honorable Discharge Certificate may be considered sufficient evidence that his failure to register was not willful or knowing.
- Third Party Affidavits. Affidavits from parents, teachers, employers, doctors, etc. concerning reasons for not registering, are also acceptable documentation that may be helpful to service providers determining whether the failure to register was willful and knowing.

In determining whether the failure was “knowing”, service providers should consider:

- Was the individual aware of the requirement to register?
- If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him (e.g. veterans who were discharged before their 26th birthday were occasionally told that they did not need to register)?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?
- Does the status information letter indicate that Selective Service sent a letter to the individual at that address and did not receive a response?

In determining whether the failure was “willful”, service providers should consider:

- Was the failure to register done deliberately and intentionally?
- Did the individual have the mental capacity to choose whether or not to register and decided not to register?
- What actions, if any, did the individual take when he learned of the requirement to register?

If the service provider determines it was not a knowing and willful failure and the individual is otherwise eligible, services may be provided. If the service provider determines that evidence shows that the individual's failure to register was knowing and willful, WIOA service must be denied.

Individuals denied services must be advised of available WIOA grievance procedures. Service providers must keep documentation related to all evidence presented in determination related to Selective Service.

Local Workforce Development Notice: L06-02

TO: Greater Rhode Island Local Workforce Development Board Area
FROM: Governor's Workforce Board, on behalf of the Greater Rhode Island
Local Area
SUBJECT: Incumbent Worker Training Policy
DATE: Effective: March 18, 2021



Purpose:

To establish the local area's policy and required procedures concerning the provision of Incumbent Worker Training under WIOA.

Background: Section 134 (d)(4) of the Workforce Innovation and Opportunity Act (WIOA) stipulates that up to 20% of local formula adult and dislocated worker funds may be used for incumbent worker training. State WIOA policy authorizes the use of WIOA funds for incumbent worker training if related to the increase of competitiveness of the employee and/or the employer.

Incumbent worker training is designed to meet the workforce needs of an employer or group of employers and increase the competitiveness of the business and incumbent workers by ensuring they acquire the skills necessary to retain employment, advance within the business or to provide the work skills necessary to avert a layoff. The training is conducted with a commitment by the employer to retain the incumbent worker(s) who are trained.

Incumbent workers are employed at the time of their participation and WIOA funds are paid to the employer for the costs of the training provided to the incumbent worker. An ideal incumbent worker training would be one where a participant acquires new skills allowing him or her to move into a higher skilled and higher paid job within the company. In turn this would allow the company to hire a job seeker to backfill the incumbent worker's position.

Policy: An "incumbent worker" is a worker who is:

- Employed;
- Meets the Fair Labor Standards Act (FLSA) requirements for an employer-employee relationship;
- Has an established employment history with the employer for 6 months or more, with the following exception: In the event that the incumbent worker training is being provided to a cohort of employees, not every employee in the cohort must have an established employment history for 6 months or more as long as a majority of those employees being trained do meet the employment requirement; and
- Meets the Selective Services requirements

An incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for adults and dislocated worker under WIOA, unless they are also enrolled as a participant in the WIOA adult or dislocated worker program.

“Incumbent worker training” is training:

- Designed to meet the special requirements of an employer (including a group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment,
- Conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained for a period of six months following completion of the training, or promote incumbent workers to higher paying positions, Increases the competitiveness of the employer or employee, and Gives employees the opportunity to progress on their career pathway by providing opportunities to obtain certificates or credentials based on the employers need. (Reference 20 CFR 680.790)

Procedure: In order for an employer to be eligible to receive incumbent worker training funds, the following must be considered:

- The characteristics of the participants in the program;
- The relationship of the training to the competitiveness of a participant and the employer;
- The number of employees trained;

Employers are required to pay for a significant cost of training for those participants in incumbent worker training; this can be done through both cash and/or in-kind payments. The wages paid to participants while in training may be considered as a source of matching funds. The minimum amount of the employer share in the incumbent worker training depends on the size of the employer:

- Employers with 50 or fewer employees must contribute at least ten percent (10%) of the cost;
- Employers with 51 to 100 employees must contribute at least twenty-five percent (25%) of the cost; and
- Employers with more than 100 employees must contribute at least fifty percent (50%) of the cost;

WIOA defines incumbent worker training as a business service, therefore, the delivery of incumbent worker training does not require the use of an Individual Training Account or that the training program be listed on the Eligible Training Provider List.

All documentation, including certificates of completion for each incumbent worker training initiative must be retained in participant files by One Stop staff. Funds spent on incumbent worker training must be tracked and reported to the local area fiscal agent and subject to appropriate monitoring. All recipients of incumbent worker training must be reported to DOL, regardless of whether they become a participant in one of the other WIOA programs. Additionally, employers participating in incumbent worker training must be registered) in EmployRI.

To reduce the reporting burden on employers and One Stop Staff, the Workforce Board encourages the collection of Social Security Numbers (SSNs) as part of the training contract with the employer. For all individuals where an SSN is collected, the state will conduct a base wage match to obtain their employment and earnings. For those individuals unable or unwilling to provide an SSN, One Stop staff is directed to obtain provide supplemental data. Additionally, it is the One Stop staff's responsibility to capture and enter credential information into EmployRI for each incumbent worker training individual.

REQUIRED DATA ELEMENTS – INCUMBENT WORKER TRAINING		
Element #	Element Name	Primary Collection Method
100	Unique Individual Identifier	Local/State
101	State Code of Residence	Local/State
108 - A	ETA-Assigned 1st Local Workforce Board Code	Local/State
403	Occupational Code of Most Recent Employment Prior to Participation (if available)	Employer
404	Industry Code of Employment 1st Quarter Prior to Participation	Employer
900	Date of Program Entry	Local/State
901	Date of Program Exit	Local/State
907	Recipient of Incumbent Worker Training	Local/State
908	Rapid Response (if applicable)	Local/State
1501	Most Recent Date Received Rapid Response Services (if applicable)	Local/State
1600	Employed in 1st Quarter After Exit Quarter (WIOA)	If SSN provided – UI Wage records; If SSN not provided – employer follow-up
1601	Type of Employment Match 1st Quarter After Exit Quarter (WIOA)	
1602	Employed in 2nd Quarter After Exit Quarter (WIOA)	
1603	Type of Employment Match 2nd Quarter After Exit Quarter (WIOA)	
1604	Employed in 3rd Quarter After Exit Quarter (WIOA)	
1605	Type of Employment Match 3rd Quarter After Exit Quarter (WIOA)	
1606	Employed in 4th Quarter After Exit Quarter (WIOA)	
1607	Type of Employment Match 4th Quarter After Exit Quarter (WIOA)	
1618	Retention with the same employer in the 2nd Quarter and the 4th Quarter (WIOA)	
1703	Wages 1st Quarter After Exit Quarter (WIOA)	
1704	Wages 2nd Quarter After Exit Quarter (WIOA)	
1705	Wages 3rd Quarter After Exit Quarter (WIOA)	
1706	Wages 4th Quarter After Exit Quarter (WIOA)	
1800	Type of Recognized Credential (WIOA)	Employer follow-up
1801	Date Attained Recognized Credential (WIOA)	Employer follow-up
1806	Date of Most Recent Measurable Skill Gains: Educational Achievement (WIOA)	Employer follow-up
1807	Date of Most Recent Measurable Skill Gains: Secondary Transcript/Report Card (WIOA)	Employer follow-up
1808	Date of Most Recent Measurable Skill Gains: Post-Secondary Transcript/Report Card (WIOA)	Employer follow-up
1809	Date of Most Recent Measurable Skill Gains: Training Milestone (WIOA)	Employer follow-up
1810	Date of Most Recent Measurable Skill Gains: Skills Progression (WIOA)	Employer follow-up
1811	Date Enrolled in Education or Training Program Leading to a Recognized Postsecondary Credential or Employment During the Program (WIOA)	Employer follow-up
1501	Most Recent Date Received Rapid Response Services **Required for IW only if IWT funded with RR funds (WIOA sec. 134(a)(2)(A))	Local/State

Local Workforce Development Board Notice: L06-05

TO: WORKFORCE DEVELOPMENT PARTNERS

FROM: Governor's Workforce Board acting as Local Board for the Greater Rhode Island Area Pursuant to Authority Granted by the US Secretary of Labor

SUBJECT: Justification to Provide Training Services Through Industry-Sector Partnerships Without First Providing Career Services

STATUS: ACTIVE



1. **PURPOSE:** This policy offers the Board's justification for providing training without first providing a related career services to an individual only when said training is conducted as part of an Industry-Sector Partnership initiative.
2. **REFERENCES:** Workforce Innovation and Opportunity Act WIOA Sections -§134 (c)(2)(A)(xii)(I) & §3(8); NPRM §680.220 (b); CFR § 680.220
3. **BACKGROUND:** The Workforce Innovation and Opportunity Act is designed to provide employment and training opportunities to those who can benefit from, and are in need of, such opportunities. WIOA reinforces that training services can be critical to the employment success of adults and dislocated workers. CFR § 680.220 states than an individual must receive interview, evaluation, or assessment, and career planning in order to be determined eligible for training services under WIOA and that the determination of need for training services must be documented.

CFR § 680.220 further states that there is no requirement that career services be provided as a condition to receipt of training services; however, if career services are not provided before training, the Workforce Development Board must document the circumstances that justified its determination to provide training without first providing the career services described above.

4. **POLICY:** Rhode Island's industry-sector partnership initiative (Real Jobs RI) signals a new way of organizing the workforce development system around meeting the needs of industries and employers and, by extension, job seekers. Real Jobs RI's defining characteristic as an industry sector-based workforce development initiative is consistent with the goals and intent of WIOA. Although not the only activity that Real Jobs RI partnerships engage in, the primary focus of Real Jobs RI is to deliver industry-driven and employer-informed occupational training designed to result in employment with the targeted industry sector.

Generally, training under WIOA is to be made available when it is clear that intervention beyond career services are necessary to provide the job seeker with the skills necessary to achieve economic self-sufficiency. However the law also provides an important exception, stating that a workforce development board may provide training for an individual absent the provision of any career service by providing a reasonable justification. This latter provision is further buttressed by §134 (c)(3)(A)(iii) of WIOA which states that nothing in the section on career services should be “construed to mean that an individual must receive career services prior to training”. This flexibility anticipates conditions that align with the intent and purpose of career services but given other factors may be accomplished in other ways.

Real Jobs RI Industry Sector Partnerships represent an advanced workforce development strategy. Centered on a convening intermediary and comprised of employers, training providers and other key actors, these industry sector partnerships function as sophisticated, real-time, workforce intelligence aggregators. As such, the partnerships are uniquely positioned to accurately understand emerging job descriptions, articulate skill requirements, and design solutions to meet them; including the development of credible sequences of training, curriculum and credentials. The unique unmet skill and talent needs of the industry, and the gap between those needs and the state labor market, represent the most critical reasons for sectors to come together.

Each Real Jobs RI partnership’s capacity to meet these imperatives was established during their selection process and is rigorously evaluated throughout their existence. And it is these factors, taken in totality, that not only indicate that WIOA-style individual career planning is inherent to Real Jobs RI, but in fact will be of a higher order than less demand-centered approaches. This can similarly be said for WIOA required interviewing, evaluation and assessments. High functioning sector partnerships, by definition, have already made the determinations regarding the gaps, assets and fit on all individuals prior to investing scarce time and resources on them. Were an individual determined to already be prepared and sufficiently skilled for the occupation at the time they engage with the partnership, that individual would almost certainly be placed into direct employment with a partner employer, rather than enrolled in a lengthy training program.

Given their relationship with industry employers, Real Jobs RI Industry Sector Partnerships will be uniquely able to design the most accurate of assessments, ensuring both efficient screening and valuable/actionable feedback for individuals. Their continued participation in the Real Jobs RI program depends on it.

Based the factors outlined above, it is the workforce development board’s policy that assessments and career planning are implicit within the context of this industry sector strategy. And this policy will be sufficient justification to provide training services without first providing and documenting career services. This policy only applies when training is conducted as part of an Industry-Sector Partnership initiative.

7. Inquiries: Questions concerning this issuance may be directed by phone or by email at:

Governor’s Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.gwb.ri.gov

Local Workforce Development Board Notice: L07-01

(formerly PY17-04)

TO: WORKFORCE DEVELOPMENT PARTNERS

FROM: Nancy J. Olson, Executive Director, WPGRI
Steven Kitchin, Chairman, WPGRI

SUBJECT: Youth Service Provider: Program and Fiscal Monitoring

DATE: Effective: January 9, 2018

- 1. PURPOSE:** The purpose of this policy is to establish the Greater Rhode Island Workforce Development Area's oversight and monitoring process for WIOA Youth Service Providers.
- 2. REFERENCES:** Workforce Innovation and Opportunity Act (WIOA) of 2014 (P.L 113- 128); Federal Register 20 CFR 681; and Training and Employment Guidance Letters (TEGL) 9-00, 28-11, 5-12, 5-14, 23-14, 8-15, 21-16: State Workforce Innovation Notice 07-01
- 3. BACKGROUND:** Oversight and monitoring is a regular, systematic review of programmatic and fiscal activities, administrative systems and management practices to determine if they are appropriate, effective and in compliance with WIOA, US Department of Labor (USDOL) requirements, State of RI requirements, the Youth Service Provider (YSP) Contract and policies and procedures.

Programmatic and fiscal monitoring activities include but are not limited to a review of program and participant services including the intake and referral process, registration, objective assessment, ISS, training, work experience, et al. Monitoring also includes a review of program administration and management practices including fiscal and accounting procedures, reporting, internal control systems (e.g. protection of Personal Identifiable Information (PII)), and non-discrimination and Equal Opportunity (EO) policy and procedures. ADA compliance monitoring includes a review of YSP facilities.

4. POLICY:

Monitoring Process:

The board for the greater Rhode Island workforce development area shall provide seven (7) days notification to the YSP that monitoring will take place. WPGRI will select participant files randomly. Sample size shall be determined by the monitor. Determinations will be applied consistently across all files and sample size selected.

Monitoring may be performed electronically through desk reviews and/or on-site visits. The monitor will review participant files at the YSP site. Where applicable, the monitor will review employRI.org data and cross-match with hard copy paper file documentation.

Monitoring will:

- Confirm compliance with Federal and State statutes and regulations for workforce programs
- Confirm compliance with terms of YSP contract
- Ensure funds are used for authorized purposes
- Identify areas requiring technical assistance
- Evaluate program effectiveness and impact
- Identify program successes and challenges
- Stay connected to local program operations
- Provide a feed-back mechanism to YSP
- Provide guidance to YSP to assist in providing quality workforce services to participants
- Provide a framework and protocol for continuous improvement in workforce programs

Participant Interviews: Participant interviews may be conducted and allow the monitor to understand the customer experience and validate the performance of the YSP from the perspective of the participant. The monitor may select a sampling of participants for interview.

Frequency

WIOA programmatic on-site monitoring will be conducted twice per program year. WIOA fiscal monitoring will be conducted once per program year.

Monitoring Report

Within thirty (30) days of monitoring completion, the monitor will issue a written monitoring report to the YSP.

The report provides the background of the program, status of follow-up on previous findings (if applicable), current findings and recommendations (if any) for corrective action along with a timeline for implementation. The report constitutes the basis for future program assessment and evaluation.

A monitoring file will be maintained for each YSP which will contain monitoring reports and follow-up documents, as well as the worksheets, questionnaires and other back-up information used in the monitoring.

Corrective Action

If gaps or deficiencies are found during the monitoring process, the monitoring report will include recommendations or findings to address the identified problem areas. The type and extent of the issues identified will dictate the required corrective action.

Recommendations may include:

- Technical Assistance: The monitor will recommend the provision of technical assistance or additional guidance when a deficient condition is caused by inadequate information or training.
- Policy/Procedural Changes: The monitor will submit appropriate recommendations for procedural changes to result in acceptable performance.

Findings

If there are findings (deficiencies), the monitor will recommend a corrective action plan which must be addressed by the YSP. The YSP is required to respond to the monitor's findings in writing within twenty (20) days of the date of the monitoring report to acknowledge that the corrective action plan is being implemented.

The monitor will work with the YSP to outline a corrective action plan which addresses the causes of the problem(s) and aims to prevent future occurrence. The YSP must implement the action within the timeframe indicated in the monitoring report. The implementation will be closely tracked by the monitor to determine the overall efficiency and effectiveness of the approach and to measure progress toward resolving the problem.

Follow-Up

The monitor will follow-up on recommendations and findings.

Follow-up may be achieved as follows:

- **Desk Review:** If the monitoring recommendation(s) or finding(s) can be addressed through the submission of documentation, follow-up may be achieved through verification of back-up documentation submitted by the YSP.
- **Off-Cycle Visit:** If the recommendation(s) or finding(s) is/are crucial to the operation of the program or is/are required immediately to resolve a problem involving questioned costs, a follow-up monitoring may be scheduled to confirm that corrective action has been implemented.
- **Part of Regular Monitoring:** If the recommendation(s) or findings (s) corrective action require more time to implement or are of a less severe nature, the action will be followed-up during the course of the next regular monitoring.

Documentation of follow-up will be maintained in the monitoring file.

Monitoring Tools

WIOA Programmatic and Fiscal Compliance tools are management forms used by the monitor to ensure that YSP's are complying with legislative requirements of WIOA, State of Rhode Island statutes and YSP contracts.

Monitoring tools are used by monitors to conduct participant file reviews on a sampling of participant's information and program information through the review and analysis of employRI.org data and/or paper files. All participant program activities and services will be examined to ensure programmatic compliance. Monitoring tools will be changed, modified added or removed as needed by the monitor to ensure all current requirements of federal, state, local and contract clauses are included.

Confidentiality, Data Availability & Retention

The board will protect the confidentiality of all monitored data. All written reports and other documents pertaining to monitoring and other oversight activities will be made available for review by Federal and State Officials.

Reports and other records of monitoring activities must be retained for five (5) years from the date of submission of the final expenditure reports regarding the funding sources monitored.

If any litigation, claim, audit or other action involving the records has been started before the expiration of the five (5) year period, the records must be retained until completion and resolution of all such actions or until the end of the five (5) year period, whichever is later.

5. INQUIRES: Questions concerning this issuance may be directed by phone or by email at:

Rhode Island Department of Labor and Training
Governor's Workforce Board RI
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax

www.dlt.ri.gov | www.qwb.ri.gov

Local Workforce Development Notice: L07-02 (formerly PY17-03)

Date: July 1, 2019

To: Greater Rhode Island Local Workforce Development Board Area

From: Nancy J. Olson, Executive Director, WPGRI
Steven Kitchin, Chairman, WPGRI

Re: Youth Incentive Policy

Purpose:

The US Department of Labor recognizes that incentives could be used as motivators for various activities such as recruitment, submitting eligibility documentation, and participation in the program.

Background: 20 CFR § 681.640 states that “incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experiences. The local Workforce Development Board must have written policies and procedures in place governing the award of incentives and must ensure that such incentive payments are tied to the goals of the specific program; outlined in writing before the commencement of the program; align with the local program’s organizational policies; and are in accordance with the requirements contained in 2 CFR part 200.”

Policy:

Any incentive payment must be linked to an achievement related to training and education, work readiness skills, placement in employment, education or the military and/or attainment of an occupational skills goal as identified in the Individual Service Strategy (ISS). Such achievements must be documented in EmployRI and in the participant’s file. Grant recipients must also maintain required documentation detailing the distribution and management of incentives, documenting the incentive, service, goal, and related cost.

Participants may not receive multiple incentives for the same activity.

If the youth has exited the WIOA Youth enrollment and is in WIOA Youth Follow-up, the youth is still eligible to receive incentives. The incentive payment must be documented in EmployRI.

Goals must be indicated on the ISS and met within the timeframe established in order to qualify for the incentive.

Total incentive is not to exceed the amount specified in the contract. Incentives must not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment.

Incentive payments may be awarded for the following goal accomplishments or activities:

- Attainment of a High School Diploma or Equivalent;
- Attainment of a Recognized Postsecondary Credential
- Employed, in Education, or in Training during the 2nd Quarter after Exit;
- Employed, in Education, or in Training during the 4th Quarter after Exit;
- Achievement of Measurable Skill Gains

Inquiries:

Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.qwb.ri.gov

Local Workforce Development Notice: L08-01 (formerly PY17-09)

Date: April 10, 2018

To: Greater Rhode Island Local Workforce Development Board Area

From: Nancy J. Olson, Executive Director
Steven H. Kitchin, Chairman

Re: WIOA Program Policy:
Adult and Dislocated Worker Program and Fiscal Monitoring

Purpose:

The Workforce Greater Rhode Island workforce area has established an oversight and monitoring process that includes:

- (1) A review of the GRI Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker program through access to electronic data and/or on-site monitoring visits, and
- (2) Ongoing reviews of the One-Stop Operator and service provider performance to assess the quality and level of performance.

These activities are required to fulfill GRI's mandated oversight responsibilities in accordance with WIOA.

Effective Date: This policy is effective immediately.

Background:

- Oversight and monitoring is a regular, systematic review of programmatic and fiscal activities, administrative systems and management practices to determine if they are appropriate, effective and in compliance with WIOA, US Department of Labor (USDOL) requirements, State of RI requirements, the One-Stop Operator Contract and WPGRl policies and procedures.
- Programmatic and fiscal monitoring activities include but are not limited to a review of program and participant services including the intake and referral process, registration, objective assessment, ISS, training, work experience, et al.
- Monitoring also includes a review of program administration and management practices including fiscal and accounting procedures, reporting, internal control systems (e.g. protection of Personal Identifiable Information (PII)), and non-discrimination and Equal Opportunity (EO) policy and procedures. ADA compliance monitoring includes a review of One-Stop facilities.

Policy:

Monitoring Process:

GRI shall provide seven (7) days notification to the One-Stop Operator that monitoring will take place. GRI will select participant files randomly. Sample size shall be determined by the monitor. Determinations will be applied consistently across all files and sample size selected.

Monitoring may be performed electronically through desk reviews and/or on-site visits.

Monitoring will:

- Confirm compliance with Federal and State statutes and regulations for workforce programs
- Confirm compliance with terms of One-Stop Operator contract
- Ensure funds are used for authorized purposes
- Identify areas requiring technical assistance
- Evaluate program effectiveness and impact
- Identify program successes and challenges
- Stay connected to local program operations
- Provide a feed-back mechanism to the One-Stop Operator
- Provide guidance to One-Stop Operator to assist in providing quality workforce services to participants
- Provide a framework and protocol for continuous improvement in workforce programs

Participant interviews may be conducted and allow the monitor to understand the customer experience and validate the performance of the One-Stop Operator and service provider from the perspective of the participant. The monitor may select a sampling of participants for interview.

Frequency

WIOA programmatic monitoring will be conducted twice per program year.

WIOA fiscal monitoring will be conducted once per program year. The RI Department of Labor and Training, as fiduciary for the GRI, is monitored by the State of Rhode Island.

Monitoring Report

Within thirty (30) days of monitoring completion, WPGRI will issue a written monitoring report to the One-Stop Operator.

The report provides the background of the program, status of follow-up on previous findings (if applicable), current findings and recommendations (if any) for corrective action along with a timeline for implementation. The report constitutes the basis for future program assessment and evaluation.

A monitoring file will be maintained which will contain monitoring reports and follow-up documents, as well as the worksheets, questionnaires and other back-up information used in the monitoring.

Corrective Action

If gaps or deficiencies are found during the monitoring process, the monitoring report will include recommendations or findings to address the identified problem areas. The type and extent of the issues identified will dictate the required corrective action.

Recommendations may include:

- Technical Assistance: The monitor will recommend the provision of technical assistance or additional guidance when a deficient condition is caused by inadequate information or training.
- Policy/Procedural Changes: The monitor will submit appropriate recommendations for procedural changes to result in acceptable performance.

Findings:

If there are findings (deficiencies), the monitor will recommend a corrective action plan which must be addressed by the One-Stop Operator. The One-Stop Operator is required to respond to the monitor's findings in writing within thirty (30) days of the date of the monitoring report to acknowledge that the corrective action plan is being implemented.

The monitor will work with the One-Stop Operator to outline a corrective action plan which addresses the causes of the problem(s) and aims to prevent future occurrence. The One-Stop Operator must implement the action within the timeframe indicated in the monitoring report. The implementation will be closely tracked by the monitor to determine the overall efficiency and effectiveness of the approach and to measure progress toward resolving the problem.

Follow-Up

The monitor will follow-up on recommendations and findings.

Follow-up may be achieved as follows:

- Desk Review: If the monitoring recommendation(s) or finding(s) can be addressed through the submission of documentation, follow-up may be achieved through verification of back-up documentation submitted by the One-Stop Operator.
- Off-Cycle Visit: If the recommendation(s) or finding(s) is/are crucial to the operation of the program or is/are required immediately to resolve a problem involving questioned costs, a follow-up monitoring may be scheduled to confirm that corrective action has been implemented.
- Part of Regular Monitoring: If the recommendation(s) or finding(s) corrective action require more time to implement or are of a less severe nature, the action will be followed-up during the next regular monitoring.

Documentation of follow-up will be maintained in the monitoring file.

Monitoring Tools

Program Monitoring: WIOA Program monitoring tools are management forms used by the monitor to ensure the One-Stop Operator is complying with legislative requirements of WIOA, State of Rhode Island statutes, the One-Stop Operator contract and WPGRI policies and procedures.

The monitoring tools are used by monitors to conduct participant file reviews on a sampling of participant's information and program information through the review and analysis of employRI.org data and in the electronic WIOA common folder, if applicable. All participant program activities and services will be examined to ensure programmatic compliance. Monitoring tools will be changed, modified added or removed as needed by the monitor to ensure all current requirements of federal, state, local, contract clauses, and policies/ procedures are included.

Confidentiality, Data Availability & Retention

WPGRI will protect the confidentiality of all monitored data. Written reports and other documents pertaining to monitoring and other oversight activities will be made available for review by Federal and State Officials.

Reports and other records of monitoring activities must be retained for five (5) years from the date of submission of the final expenditure reports regarding the funding sources monitored.

If any litigation, claim, audit or other action involving the records has been started before the expiration of the five (5) year period, the records must be retained until completion and resolution of all such actions or until the end of the five (5) year period, whichever is later.

Attachment:

Adult and Dislocated
Worker Monitoring Tool

Inquiries:

Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
www.dlt.ri.gov | www.gwb.ri.gov

GREATER RHODE ISLAND WORKFORCE DEVELOPMENT AREA
netWORKri One Stop Operator
WIOA Adult and Dislocated Worker
Monitoring Tool

Date:	Monitor:	Counselor:	netWORKri office:
Participant's Last Name:		Participant's First Name:	
Participant's SSN:		Participant State ID:	

A. Electronic Forms

Yes	No	N/A	If Applicable, are the following forms in the electronic file?
			Customer Application
			WIOA Program Eligibility and Verification Form
			EEO Form
			Grievance Form
			Self-Certification
			Objective Assessment and IEP Agreement
			Justification Letter Outline
			WIOA Customer ITA Option Plan
			WIOA Training Agreement
			WIOA ITA Referral
			Notice of Participation DLT-WIA 950-C
			Authorization to Obtain/Release Confidential Information
			Employment Information Release Form
			WIOA Supportive Service Request
			W-9
			OJT Training Agreement

B. File Documentation

1. Is there evidence on file that verifies the applicant's SSN? Yes _____ No _____
2. Is there documented evidence of Citizenship/Authorization to work in the U. S.? Yes _____ No _____
3. Is there evidence the participant who received services in the Adult and Dislocated Worker program is 18 years of age or older? Yes _____ No _____
4. If applicable, is there evidence that Selective Service registration is documented? Yes _____ No _____ N/A _____

5. If DW, is the dislocation date recorded (LDE) on the application for the Dislocated Worker Participant? Yes _____ No _____ N/A _____ EmployRI_____
6. Is Date of Actual Dislocation correct? Yes _____ No _____ N/A _____ EmployRI_____
7. If Adult, is the participant being served in accordance with WIOA priority for services?
Yes _____ No _____
- If Yes, check one: _____ Public Assistance _____ Low Income _____ Basic Skills Deficient
8. If the participant is low income, is family income properly documented?
Yes _____ No _____
9. Are case notes in file? Yes _____ No _____ EmployRI_____
10. Is the funding source (Adult or Dislocated Worker) entered correctly?
Yes _____ No _____
11. Is there evidence that the participant was provided with LMI data per LWIN PY15-09?
Yes _____ No _____ EmployRI_____
12. Is there an Objective Assessment and IEP in employRI.org completed and signed by the participant and counselor, for any customer that received Individualized or Training Services?
(See employRI / case management / plan)
- Yes _____ No _____ N/A _____

If applicable, do the following dates agree with EmployRI?

Yes	No	
		Family Income
		Basic Skills Deficient
		Employment Status
		Participation date
		1 st Basic Career service
		1 st Individualized Service date
		Date Entered Training
		Training End Date
		WIOA Credential
		WIOA Closure date

If applicable, are the following items correctly recorded in employRI.org?

Yes	No	
		TANF
		Other Public Assistance
		SNAP
		Displaced Homemaker
		Disability

Check either Type A,B,C or D	For Dislocated Workers Only
	Type A (must document either)
	(1) Terminated, laid off or received notice; and eligible for or exhausted UC or
	(2) Was employed but not eligible for UC and unlikely to return to previous industry or occupation
	Type B (must document one)
	(1) Terminated or laid off as a result of permanent closure
	(2) Plant will close within 180 days
	(3) General announcement of plant closure
	Type C (must document either)
	(1) Self employed: general economic conditions
	(2) Self employed: affected by natural disaster
	Type D (must document both)
	(1) Displaced homemaker, not support and
	(2) Displaced homemaker, unemployed or under-employed
	TYPE E (must document)
	(1) Veteran Spouse

C. Participation Data Form

1. Is there evidence that the participant was registered and determined eligible upon receipt of the first service beyond self-service or informational activities? *Refer to Program Eligibility & Verification Form*

Yes _____ No _____

2. Is there evidence that the participant who received services as a dislocated worker in the dislocated worker program meets the definition of “dislocated worker”?

(20 CFR 663.115 & 663.120)

Is there a UI printout?

Yes _____ No _____ N/A _____

Training Questions: *If Trade Customer Skip. No 300 Activity required in employRI.*

D. Individual Training Accounts

1. Is there evidence that it was determined by the One-Stop operator that the participant was in need of training services? Yes _____ No _____
2. Do case notes indicate that the participant is both eligible and suitable for training? Yes _____ No _____
3. Was the participant provided with job development services prior to training? Yes _____ No _____
4. Did the participant provide an adequate job search? Yes _____ No _____
5. If applicable, is there a case note indicating that the participant was unable to obtain other grant assistance such as Pell or that the participant requires additional assistance. Yes _____ No _____ N/A _____
6. Is there a Justification Letter completed with manager's signature? Yes _____ No _____

Does the Justification Letter address all the required elements below?

Yes	No	N/A	
			Reason Participant is requesting training
			Why is the Participant interested in the training program?
			Did the Participant do research in chosen occupation?
			Did the Participant identify and justify school choice?
			How will the Participant support himself/herself during training?

7. Is there a case note to indicate that the counselor verified the start of training? Yes _____ No _____
8. Was the 300 Occupational Skills Training ITA Code entered in a timely manner?
Training Start Date: _____ Date 300 Code Entered: _____
9. Does the participant record contain written documentation of a credential/certificate obtained? Yes _____ No _____

F. OJT (On-the-Job Training)

1. Does the On-the-Job Training (OJT) relate to the introduction of new technologies, new products or service procedures, upgrading to new jobs that require new skills, or workplace literacy? Yes _____ No _____
2. Is the On-the-Job Training (OJT) for an "in-demand occupation"?
Not Applicable if Reverse Referral Yes _____ No _____ N/A _____

3. Is there a Prove It! test and has the manager signed the OJT Participation form?
Yes _____ No _____ N/A _____
4. If Adult is employed at participation, did the On-the-Job Training (OJT) participant earn less than the current self-sufficient wage (100% LLSIL)?
Yes _____ No _____ N/A _____

G. Closure/Exit Information

1. Is the participant's case closed? Yes _____ No _____
2. Is the closure date correct? Yes _____ No _____
3. Is there evidence that shows the participant's outcome?
(*employRI under Case Closure*) Yes _____ No _____
4. Is employment entered as WIOA outcome case closure? Yes _____ No _____
5. If applicable, is the exit date correct? Yes _____ No _____

H. Follow-Up

1. Has the counselor contacted the participant in a timely manner to offer WIOA Follow-up services? Yes _____ No _____
2. Is Follow-Up information properly recorded (verify in Wage Record) Yes _____ No _____

Local Workforce Development Notice: L08-02 (formerly PY18-05)

Date: August 1, 2018

To: Greater Rhode Island Local Workforce Development Board Area

From: Nancy J. Olson, Executive Director
Steven H. Kitchin, Chairman

Re: WIOA Program Policy: Required Forms and Participant File Organization

PURPOSE:

To provide guidance and instruction to the One-Stop Operator for the WPGRI American Job Center (AJC) and the Rhode Island Department of Labor and Training Workforce Development Services regarding Workforce Innovation and Opportunity Act (WIOA) Title I required forms and WIOA participant file organization for Adults and Dislocated Workers.

EFFECTIVE DATE: This policy supersedes WPGRI Policy PY16-01 and is effective immediately.

BACKGROUND:

The collection of data and preparation of documentation is necessary to maintain and report accurate WIOA program information. WPGRI must ensure the collection of participant data is uniform and standard and that burden for the applicant is limited to the minimum necessary and required to adequately verify WIOA program eligibility and deliver participant services. Proper participant file organization provides necessary uniformity and ease of retrieval for staff and during Local, State and Federal monitoring.

POLICY:

WIOA forms must be completed electronically and include the required electronic signatures. If the customer must hand write the Customer Application due to low literacy, lack of computer literacy, or unavailable technology, the WIOA counselor must enter a case note to indicate this. Handwritten Customer Applications will be accepted as a last and final resort in the previous instances.

Required WIOA forms:

1. Customer Application
2. EO (English) or EO (Spanish)*; and
3. Procedure for Filing Grievances/Complaints

*The WIOA counselor must explain the EEO and Grievance forms to the participant, provide copies, and enter a case note stating the form was explained and given to the participant.

Required WIOA forms for Individual Training Accounts (ITA's):

4. Request for Individual Training Account (ITA)
5. Individual Training Account (ITA) Training Agreement
6. Individual Training Account (ITA) Referral Form

Other WIOA Forms:

7. On-the-Job (OJT) Training Agreement
8. Self-Certification: Reason for Self-Certification must be stated in case notes
9. WIOA Supportive Service Request and W9

Documentation:

Required forms and verification documentation must be uploaded into the employRI.org document manager. Documents must be individually scanned and labelled:

Last Name, First Name, Item, Expiration Date:

Example:

John Smith SS Card

John Smith Driver's License Exp 1 1 2018

John Smith US Passport Exp 1 1 2018

John Smith Self Certification

Where participant files exist in the WIOA common folder, documents must be scanned and placed in the folder. No new folders will be created on the WIOA common drive.

The WIOA common folder must be organized as follows:

Last Name, First Name, Last 4 SSN

Example: Smith John 4321

Documents pertaining to eligibility and services rendered for the Adult and Dislocated Worker program must be uploaded into the employRI.org document manager within two (2) business days of receiving the document(s). WIOA counselors are required to obtain and upload a copy of any credential(s) a participant obtains as a result of an Adult or Dislocated Worker program service. If a document has already been uploaded a second copy of the document does not need to be uploaded. Unless there is an extenuating circumstance, all Adult and Dislocated Worker program files should be stored completely electronically in the employRI.org system.

A record of all eligibility determinations and services provided to a participant shall be recorded through a combination of Activity Codes and case notes in employRI.org.

All services and the service begin date must be entered in employrRI.org within two (2) business days of the provision of the service. For training services, WIOA counselors are required to enter a case note confirming the participant began training and another case note upon training completion. WIOA counselors must enter training end dates within seven (7) business days of the training end date and must confirm participant completion with the training provider.

WIOA counselors must enter employment information into employRI.org if a participant enters employment during program participation or during follow-up. If the participant received training services, the WIOA counselor must indicate if the employment is related to the training received.

Forms may be changed, modified, added or removed as needed by WPGRI to ensure all current requirements of federal, state, local and contract clauses are included.

Attachments:
Required forms above

Inquiries:

Questions concerning this issuance may be directed by phone or by email at:

Governor's Workforce Board RI
Department of Labor and Training
1511 Pontiac Avenue, Building 72-3
Cranston, Rhode Island 02920
(401) 462-8860 Phone (401) 462-8865 Fax
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